



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING MINUTES

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, January 14, 2009  
9:00 AM**

**Chairman Wilson read the following statement at the opening of the meeting.**

"I would like to note for the record that the Board has previously expressed concerns about the adversarial positions that the County Attorney's Office has often taken against the Board. This concern has caused us to retain independent counsel to analyze this apparent ethical conflict and to take actions that maybe warranted. The analysis and response is ongoing.

I see that the County Attorney's Office is in attendance at this meeting, presumably to advise us as we proceed with the meeting. I would like to note that the Board in no way waives any conflict or ethical issues that exist as a result of the County Attorney's presence here."

**1. INVOCATION**

Clem Ligocki, Maricopa County Department of Transportation, gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Bruce Bartholomew, Maricopa County Department of Transportation, led the assemblage in the Pledge.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Wednesday, January 14, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Victoria Mangiapane, Deputy County Attorney.

**BOARD OF SUPERVISORS**

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

Aprille Hollis, Animal Care and Control (AC&C), introduced a sleepy Rhodesian Ridgeback two-month old puppy, commenting on her cute little face and the fact she has one brown eye and one blue eye. Ms Hollis said their track-record for a quick adoption of the pets shown at Board meetings has been very good and she hoped that would continue during 2009. There are always a great many canines and felines waiting for a loving home at AC&C.

**PRESENTATIONS**

**5. 2008 COMBINED CHARITABLE CAMPAIGN**

Presentation regarding the 2008 Combined Charitable Campaign and recognition of the Combined Charitable Campaign Executive Committee and Committee Chairs for leading a successful campaign.(C-06-09-235-P-00)

John Cantu, 2008 Combined Charitable Campaign Chairman

Sandi Wilson, Acting County Manager, announced the results of the 2008 Combined Charitable Campaign, saying the slogan of the 2008 campaign was, "Now More Than Ever." She said that Maricopa County employees raised \$441,055.50 for a large number of charitable organizations in the community. Despite the poor economical times, the number of employees participating in the campaign increased under the guidance of John Cantu, Equipment Services as Chairman, and John Hauskins, Director of MCDOT, as Co-Chair.

John Cantu thanked the Board for their support and introduced his executive committee that he said did all the hard work. He also thanked the County employees for their generosity. He presented members of his committee with "medals of honor" for their dedication.

Leigh Wales, Development Officer, Valley of the Sun United Way, thanked the County for continuing to sponsor the campaign, and the employees for giving so generously. She noted that many more people than they could imagine would be helped with the dollars given.

## **6. COUNTY FISCAL STATUS UPDATE**

Presentation regarding the fiscal status of Maricopa County and progress on budget-balancing strategies. (C-49-09-047-P-00)

Sandi Wilson, Deputy County Manager  
Christopher Bradley, Deputy Budget Director

Sandi Wilson gave a fiscal update, saying the most disturbing thing both nationally and for the County is that economists simply don't know where the bottom is. She added that as they see the trend continue downward OMB has continued to adjust the budget and forecasts to reflect current changing conditions. She said they had balanced the 2009 budget several months ago but this budget will have to be adjusted again and they are preparing for harder times in 2010.

Chris Bradley, Deputy Budget Director, explained that the forecast for January 2009 is for a far greater deficit percentage than the pessimistic forecasts had predicted and the month of December had nearly a 15% decline over the same month in 2007. He explained that the December sales tax percentages actually reflected sales in October, when the national "freeze" hit with the banking crisis. He said no improvement in state collections passed on to the County could be expected for several months, at the least. The revenue for the year-to-date through December is \$15.3 million under budget for the state shared sales tax. He reported on the deficits in the vehicle license tax and the jail excise tax. The fiscal year 2009 total revenue forecast is now \$44 million under budget, which is \$8 million lower than the October pessimistic forecast. Forecasters don't believe the bottom will be reached until possibly the latter part of 2009 or even into 2010.

Mr. Bradley addressed the budget cuts already approved by the Board and said all but five departments responded to the request for budget reduction plans, but two of those were given extensions. OMB will review the budget cuts with the Board in February. He added that OMB will have to make reduction recommendations for any department that does not respond.

Supervisor Stapley asked which three departments did not respond to the request for projected budget reductions.

Mr. Bradley replied, "The Sheriff, County Attorney and Treasurer." He added that he appreciated all the other departments who did the best they could in responding to the reduction requests, even though none had "been happy about it" and he listed the 24 departments who had complied. He said the problem is that it not fair to the departments who complied in good faith to apply budget reductions only to them, and a way to apply budget reductions to the three non-responsive departments will have to be found. He said they would meet with the Board with ideas and recommendations on how to do that.

He explained that the County situation is bad but compared to other governments including the State of Arizona, it is not nearly as bad. The state treasurer reports that Arizona will be out of cash to meet obligations in February or March, 2009, and will have to resort to short-term borrowing. The Joint Legislative Budget Committee (JLBC) now

estimates the FY 09 Arizona State deficit at \$1.5 billion and states there is a potential deficit for FY 2010 greater than the previous worst-case estimate of \$3.0 billion. He listed the many County concerns escalating from the State's shortfall and said, "We can expect to have to deal with something pretty significant from the State."

Ms. Wilson added her gratitude for those departments who did their best to come up with the requested 20% budget reduction. She said she hoped the three departments that did not participate would change and decide to do so since they know their particular circumstances and could better make appropriate selections for the reductions than management could. She said the financial situation is so dire that no department can be spared. She said it is very important that everyone work together to get through the crisis. OMB is working on projections for the remainder of 2009 and for the 2010 budget and a report will be brought to the board as soon as possible.

Ms. Wilson said, "With the issues that we have, the state issues being piled on top of it, just makes it very difficult to determine how to go about balancing this budget." She indicated OMB will work closely with the Government Relations group and the elected officials to help with any shifts that might come from the State of Arizona.

Supervisor Kunasek asked when the County Assessor would be able to report on property values for next year.

Mr. Bradley said that statutorily the Assessor must present their notice of valuations for FY 2009-2010 on February 10, 2009.

Supervisor Wilcox asked Ms. Wilson when the Board could expect the first indications of how far the cuts would go - whole divisions or whole programs in various departments. Ms. Wilson replied, "Probably within the next two weeks we can start briefing you on cuts and the forecast."

Supervisor Wilcox asked how she would work with the three departments who did not submit. Ms. Wilson said certain Budget Analysts have worked with these departments and they would put together a list of what they think could be looked at and some of these may require policy changes by the Board. She said reports will be made to the Board.

Supervisor Brock acknowledged how difficult budget negotiations are, particularly now, and he thanked those having to deal with it for their hard work and dedication.

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **7. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

##### **a. SPECIAL EVENT LIQUOR LICENSE FOR SUN CITY KNIGHTS OF COLUMBUS**

Approve an application for a Special Event Liquor License for Donald E. Majdecki,

Sun City Knights of Columbus #6612, at 15800 Del Webb Boulevard, Sun City, AZ 8535, on January 21, 2009. SELL #866 (C-06-09-231-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**b. SPECIAL EVENT LIQUOR LICENSE FOR CATHOLIC DAUGHTERS OF AMERICA**

Approve a Special Event Liquor License Application for Donald E. Majdecki, for the Catholic Daughters of America, at 15800 Del Webb Boulevard, Sun City AZ 85351, on February 9, 2009, 10:00 a.m. to 4:00 p.m. SELL #867 (C-06-09-230-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**c. SPECIAL EVENT LIQUOR LICENSE FOR ST. CLEMENT MEN'S CLUB**

Approve a Special Event Liquor License Application for Donald E. Majdecki, St. Clement Men's Club, 15800 Del Webb Boulevard, Sun City, AZ 85351 on March 14, 2009 from 6:00 to 11:00 p.m. SELL #868 (C-06-09-229-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**Planning and Development**

**8. ORDINANCE P-20 MARICOPA COUNTY ADDRESSING REGULATIONS**

Pursuant to A.R.S. §11-251.08, convene the scheduled public hearing to solicit comments and consider the adoption of amended Ordinance P-20 Maricopa County Addressing Regulations regarding fee increases. The amended Ordinance is effective upon Board approval. (C-44-09-032-M-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**9. FEE SCHEDULE FOR THE DRAINAGE REGULATIONS FOR MARICOPA COUNTY**

Pursuant to A.R.S. §11-251, convene the scheduled public hearing to solicit comments and consider the adoption of TA2008010, a proposal to amend the Fee Schedule for the Drainage Regulations of Maricopa County. The amended Drainage Regulation Fee Schedule is to be effective upon Board approval.

This amendment is to modify the existing fee structure for Precise Plans of Development to add an additional category that would allow minor accessory construction on existing properties, developed in substantial conformance with the Drainage Regulations, to be assessed a reduced flat fee rather than the existing parcel-based fee. (C-44-09-064-M-00)

Supervisor Wilcox said she understood that item #9 would be continued to the January 28, 2009, meeting, and this was affirmed. The Clerk added that this item could be continued but it would require a vote since it is a public hearing.

Motion to continue this item to the January 28, 2009, meeting, by: Supervisor Kunasek,  
Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Assessor**

#### **10. TERMINATE ASSESSOR'S MESA OFFICE LEASE**

Authorize early termination of Lease No. L-7243 for 7,272 square feet of office space located at 943 S. Gilbert Road, Mesa, AZ, and authorize Real Estate Services staff to give 120-day written notice of said lease termination to Paragon Santa Fe, LLC an Arizona limited liability company, as Lessor and as successors in interest to Cole Santa Fe Holdings, LLC. This action is with Paragon Santa Fe per action on January 16, 2008 (C-12-06-010-4-01). (C-12-09-002-1-00)

Supervisor Stapley commented that this elected official found a way to cut \$250,000 a year from his budget by closing this office and utilizing some space in the Southeast County Complex for his work. He thanked County Assessor Keith Russell, for setting a real example of working with the Board by an elected official to help in the budget crunch.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **Clerk of the Court**

#### **11. ACCEPT GRANTS FOR THE CLERK OF THE SUPERIOR COURT**

Accept FY 2008-09 grants for the Clerk of the Superior Court in the amount of \$1,601,681. The indirect costs (based upon a rate of 31.9% as calculated by the Department of Finance) of \$510,936 are not fully recoverable, as reflected in the funding agreements. FY 2008-09 grants allow for \$298,237 of recoverable indirect costs and \$212,699 of unrecoverable costs. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure of these revenues is not prohibited by the budget law.

Administrative Order #95-50, approved by Presiding Judge Robert D. Myers on June 29, 1995, adopted for the Judicial Branch a policy for the administration of grant funding. The policy, identical in form and substance to policy A2505 "Policy for Administering Grants" and all revisions adopted by the Board of Supervisors for all County departments. The policy states that the Presiding Judge will make a presentation to the Board of Supervisors on an annual basis of the Judicial Branch's grants. A summary of each grant has been prepared in accordance with the provisions of the policy. Additional copies of all supporting documents have been delivered to the Office of the Clerk of the Board, Office of Management and Budget (OMB), County Finance Departments and Legal Departments. (C-16-09-004-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Constables**

### **12. APPLY AND ACCEPT CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD TRAINING GRANT**

Approve the application and acceptance of grant funds from Constables Ethics, Standards and Training Board, (CESTBTG09-08), in the amount of \$7,663.16 for the purpose of providing training funds for the Maricopa County Constables Dept. The grant period begins once the agreement has been signed by both parties and ends on June 1, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Constables or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Constables' composite indirect cost rate at 12.1%, or \$927.00. The non-recoverable indirect cost is \$927. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), approve revenue and expenditure appropriation adjustments to the Constables (250) General (100) Non-recurring 0001 associated with the grant in the amount of \$7,664 for FY 2008-09. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

This training is being offered by the Arizona Constables Association in Laughlin, Nevada on January 6th through 8th, 2009. The grant period begins once the agreement has been signed by both parties and ends on June 1, 2009. The training seminar will be attended by 20 Constables and Deputy Constables of Maricopa County. This seminar will cover operational procedures, professional efficiency, civil law, officer safety and first aid/CPR. All instruction and instructors will be furnished by the Arizona Police Officers Standards and Training (AZPOST). This grant funding will pay for lodging, per diem and registration expenses. (C-25-09-005-G-00)

Supervisor Brock said he was highly supportive of this training that will cover effective operational procedures, efficiencies, civil law, public safety, first aid and CPR training. He said this is moving towards higher standards for the County's peace officers.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Elections**

### **13. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF RECORDER COMPUTERS\SERVERS\STORAGE.**

Approve an exception to the Technology Finance Program (TFP) for the Records Office to purchase computers/servers and storage equipment through an one-time expenditure from the Recorder's Surcharge fund (236) The estimated cost of the computer equipment is \$576,974. Approval of this action will support the Recorder's Office replacement of obsolete computer equipment and increase the storage capacity of the Recorder's Information System. (C-36-09-005-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**14. TASK FORCE AGREEMENT WITH THE DRUG ENFORCEMENT ADMINISTRATION**

Approve the Task Force Agreement and acceptance of up to \$32,658 in continued reimbursement funding from the US Department of Justice Drug Enforcement Administration. The term of this Agreement is the date of signature by representatives of both parties to September 30, 2009. Also approve an increase to the Sheriff's Office (500) grant fund (251) recurring (0000) revenue and expenditure appropriations for FY 2009 not-to-exceed \$24,494. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office FY 2008-09 indirect cost rate is 12.2%. The unrecoverable indirect costs are estimated to be \$3,984.28. The Sheriff's Office has been a participant in the DEA Task Force since 1998. (C-50-09-031-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**15. WAIVER TO LEAVE PLAN**

Approve a Waiver to the Maricopa County Employee Leave Plan V & VI, for Deputy Sergeant Michael McGhee, SO819, who was seriously injured as a result of an "Act of Violence" through no fault or negligence of his own, while on duty in the Queen Creek area on October 21, 2008. Time off is required to recover from surgery and to go to follow up doctor appointments. If this waiver is approved, Sgt. McGhee will continue to receive his normal salary. In return, all workers compensation benefits will be returned to the County and no future claims for workers compensation will be made by this employee as a result of this injury. Unless authorized, this waiver shall be effective October 22, 2008 and will expire one year from the date of this action. (C-50-09-048-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. AMENDMENT TO HANGAR LEASE**

Approve and execute Amendment No. 2 to Lease No. L-7336 with Chin Yi Tu Family Living Trust, successor in interest to the City of Glendale for the property located at 6801 N. Glen Harbor Boulevard, Glendale, AZ, consisting of hangars No. 5, 6, and 7. The purpose of this amendment is to identify the current LESSOR; amend the leased premises to hangars 4,5, and 6; establish an amended rental fee to \$72,000 per year (from \$60,000), amend Article 1.8 entitled "Notice and Addresses of Record", amend Article 2.1 entitled "Permitted Use" and delete Article 3.6. This amendment is effective from January 1, 2009 to December 31, 2014. (C-50-04-004-4-03)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**17. ADDITIONS TO FLEET AND EXEMPTIONS FROM MARKINGS**

Approve as one-time additions to fleet and pursuant to A.R.S. 38-538-03 and 28-2511(a) the issuance of non-governmental license plates and exemption from county markings for two seized RICO undercover vehicles as follows: one 1998 Toyota Tacoma pickup, VIN



#4TAWN72N2WZ135719, replacing 1998 Allegro 37 foot Motor Home, and one 2003 Chevrolet Tahoe VIN #1GNEC13T53R225403, replacing another Chevrolet Tahoe. These vehicles will be used for enforcement undercover operations where regular plates impair the success of the case and safety of the officer. These are one-time additions to fleet and are necessary to daily enforcement operations. RICO funds will be used to support the maintenance and upkeep. These vehicles will be retired at the end of their useful lives with no funding from the General Fund for replacement.

Exemptions from markings for these two RICO replacement vehicles was originally presented to the Board in agenda C-50-09-28-V-00, approved on November 18, 2008. The vehicles were inadvertently referenced as part of the fleet of up to 50 deep undercover vehicles licensed and maintained through the Sheriff's Office. Approval of this item will correct the designation and allow Maricopa County Equipment Services to obtain the appropriate licenses and registrations. (C-50-09-028-V-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**18. ANNUAL RENEWAL OF DEEP UNDERCOVER VEHICLES**

Approve renewal of deep undercover registrations and exemptions from markings, including non-government license plates per A.R.S. §38-538.03, for Sheriff's RICO vehicles that are used for conducting investigations into major felony crimes, narcotics operations, and organized crime activity throughout Maricopa County.

Per A.R.S. § 38-538.03, approval by the Board of Supervisors is required to renew a vehicle's registration and exemption from markings for a deep undercover vehicle. The Sheriff's Office maintains a fleet of RICO vehicles, not-to-exceed 50, approved for exemption from markings and issue of governmental plates per A.R.S. §38-538.03. The confidentiality of the make, model and other descriptive identification of this vehicle is critical to the success of the investigative efforts and protecting the lives and identities of the detectives in the field. The list with a full description of the vehicle is on file with the Clerk of the Board and should only be opened in the presence of the Deputy Chief of the Criminal Investigations Bureau or his designee, Commander of Special Investigations Division. (C-50-09-049-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**19. SHERIFF'S OFFICE GRANT FUND (251) MID YEAR RECONCILIATION**

~~Pursuant to A.R.S. 42-17106, approve the following budget adjustments to the Sheriff's Office FY 2008-09 Grant Fund (251): 1) decrease recurring (0000) revenue by (\$1,362,383) and non-recurring (0001) revenue by (\$689,443) for a total fund revenue decrease of (\$672,940); 2) reduce recurring (0000) expenditures by (\$2,151,059) and increase non-recurring expenditures (0001) by \$688,825 for a total fund expenditure decrease of (\$1,462,234). Approval of this item will result in an overall grant fund appropriation of \$6,085,927 in revenue and \$6,085,927 in expenditures. Grant funds are not local revenues for purposes of the constitutional expenditure limits and this mid year reconciliation does not alter the county's budget as adopted by the Board. Sheriff's grant awards are processed and approved according to County policy throughout the year and this annual mid-year reconciliation provides a more realistic alignment with the forecast which is based on actual awards. The Sheriff's Office FY 2008-09 indirect costs rate is 12.2%. These cumulative changes result in decreases in unrecoverable indirect costs totaling \$(248,980.04). This item has been scheduled for the January 28, 2009 meeting. (C-50-09-050-G-00)~~

The Clerk announced that this item (#19) has been stricken and will be heard at the January 28, 2009 meeting.

## **Superintendent of Schools**

### **20. EXPENDITURE APPROPRIATION TRANSFER FOR MAINTENANCE RENEWAL ON THE INFINITE VISIONS FUND ACCOUNTING SYSTEM**

Pursuant to A.R.S. §42-17106, transfer expenditure appropriation in the amount of \$359,561 from the FY 2008-09 Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) "Potential Expenditures from Fund Balance" line to the Superintendent of Schools (370) Superintendent of Schools Grant Fund (715) Non-Recurring (0001). Also decrease the revenue appropriation in the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$359,561. This action authorizes the SOS to use \$359,561 of non-grant related fund balance to pay for a portion of the five-year maintenance renewal on the Infinite Visions Fund Accounting System. Also, per A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$381,691 from FY 2008-09 Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring (0001) to an existing line item in Non-Departmental (470) General Fund (100) Technology Projects (4715) Non-recurring (0001) entitled "Schools New Financial System." This action authorizes the transfer of contingency funds to pay for the remaining portion of the five-year maintenance of the SOS financial system that is not paid for by the use of the non-grant related fund balance. The remaining balance will be paid from savings in the FY 2008-09 Superintendent of Schools General Fund (100). The Department has benefited from additional vacancy savings year-to-date in the amount of \$64,978.

The Payroll and Financial system for school districts was migrated to the Infinite Visions Fund Accounting Software in 2004. The total cost of the system, including hardware, software, training, and five years of pre-paid maintenance, including applicable discounts was \$1,711,000. The five-year pre-paid maintenance is set to expire in March 2009. Pre-payment of \$776,874 for the next five-year period is crucial to maintaining support including source code updates as well as legislative changes and forms. (C-37-09-002-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **21. SCHOOL DISTRICT BOUNDARIES TRANSCRIPT**

Pursuant to A.R.S. §15-442, accept the filing of the transcript of the boundaries for each school district within Maricopa County, as submitted by the Maricopa County Superintendent of Schools. The boundaries reflected in the transcript shall remain the legal boundaries of the districts until changed and filed as provided by law. The transcript of the school district boundaries is on file in the Office of the Clerk of the Board of Supervisors. (C-37-09-004-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **TRIAL COURTS**

### **Adult Probation**

**22. AMENDMENT TO LEASE AGREEMENT**

Approve and execute Amendment No. 8 to Lease No. C-5422 with 3101 East Shea Boulevard., LLP for the property located at 3101 East Shea Boulevard, Phoenix. The purpose of this amendment is to continue to maintain a location in this neighborhood from which adult probation services can be provided to the community. This amendment is effective from April 1, 2009 to March 31, 2014.

This Amendment will extend the lease term five years. Lessee agrees to pay an annual base rent in sums as follow: Year 1) \$186,041.25, Year 2) \$186,041.25, Year 3) \$194,666.25, Year 4) \$194,666.25, Year 5) \$194,666.25 plus rental tax. Lessor shall repaint and carpet the leased facility per a mutually agreed schedule and Lessee shall relocate all furniture and fixtures as required. The Amendment to Lease Agreement further establishes "Security" standards for janitorial staff and after-hours use by Landlord and building management. Lessee or Lessor may terminate this Lease Agreement by submitting a 90-day written notice to the other and subject to reimbursement of unamortized tenant improvement cost. (C-11-97-006-4-08)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**DEPUTY COUNTY MANAGER**

**Correctional Health**

**23. AMENDMENT TO IGA WITH AHCCCS FOR HOSPITAL PAYMENTS FOR ELIGIBLE INMATES**

Approve Amendment No. 4 to Intergovernmental Agreement (IGY YH05-0024-00) between Arizona Health Care Cost Containment System (AHCCCS) and Maricopa County through the Department of Correctional Health Services. The purpose of this amendment is to extend the term for an additional 12 months, revise rates and add language. This amendment is effective from October 1, 2008 to September 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

Extension of the IGA will provide Maricopa County an estimated (based on current utilization rates) net annual benefit of \$950,000 in the form of payment on behalf of the County for acute care hospital costs for certain AHCCCS eligible inmates who are treated in a "non-locked down" hospital ward. (C-26-05-009-2-03)

Blue Crowley spoke on item 23 being backdated to last October which was about the time they lost their accreditation and if so, the loss of accreditation was because of the lack of care and callousness on the part of the caretakers. He said things needed to be brought up to standard.

Supervisor Kunasek asked for a member of the department to address Mr. Crowley's comments and its relevancy.

Betty Adams, Director of Correctional Health, stated that this item has nothing to do with accreditation of the agency but with a long-standing IGA that deals with getting eligible prisoners accredited with AHCCCS when they are hospitalized.

She also asked to address Mr. Crowley's remarks for the record, saying that the accreditation that was recently terminated has nothing to do with the standards of health

care but with an administrative/technical issue that is still being dealt with. She added that the standard of health care for the agency remains excellent.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**24. AMENDMENT TO INTERAGENCY SERVICE AGREEMENT WITH AHCCCS**

Approve Amendment No. 1 to an Interagency Service Agreement between Arizona Health Care Cost Containment System (AHCCCS) (YH08-0073) and Maricopa County through the Department of Correctional Health Services (CHS) in the not-to-exceed amount of \$42,134.24. The purpose of this amendment is to allow payment by CHS of TPA start-up costs and clarify other issues. This amendment is effective from January 14, 2009 to June 30, 2009. All other terms and conditions of the Service Agreement remain in full force and effect. (C-26-08-011-0-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**25. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES (ADHS) FOR EXTENSION OF STD GRANT**

Approve Amendment No. 1 to an Intergovernmental Agreement (IGA) between Arizona Department of Health Services (ADHS) (1) and Maricopa County through the Department of Correctional Health Services in the not-to-exceed amount of \$42,818.00. This amendment is funded by a grant from Arizona Department of Health Services, HG854317. The purpose of this amendment is to extend agreement for first of four permitted one year extensions. This amendment is effective from January 1, 2009 to December 31, 2009. The amendment also changes the contract from "contract type fixed price" to "contract type cost reimbursement".

Approve Intergovernmental Agreement (IGA) to extend, for the first of four years, Contract Number HG854317 (C-26-08-009-2-00) STD services between Maricopa County Correctional Health Services (CHS) and Arizona Department of Health Services (ADHS) for the period January 1, 2009 through December 31, 2009. The contract may be extended by mutual agreement of CHS and ADHS for three additional periods of one year each. Acceptance of the IGA will allow ADHS to reimburse CHS moneys to partially offset compensation of CHS staff who perform syphilis and other STD screenings at the Maricopa County jails and detention facilities. By approving this agenda item, the Board of Supervisors will be authorizing the acceptance of grant funding that is budgeted through December 31, 2009. Grant Funding in the amount of \$42,818.00 during calendar year 2009 will offset some CHS program labor expenditures. Indirect costs at 5.30% are allowable. Calculated indirect costs are \$2,155.13. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining expenditures of local revenues duly adopted by the Board pursuant to A.R.S 42-17105. (C-26-08-009-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Management and Budget**

**26. PERSONNEL AGENDA AND LUMP SUM MERIT AWARDS FOR MARICOPA COUNTY AND THE JUDICIAL BRANCH**

Approve the Maricopa County and Judicial Branch Personnel Agendas for the first two quarters of FY 2008-09 and CY 2008 and the 2008 One-Time Lump Sum Merit Awards consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The personnel agenda and Lump Sum Merit Awards are on file in the Office of the Clerk of the Board. (C-49-09-042-6-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Health**

**27. AMENDMENT TO IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT D.B.A. MARICOPA INTEGRATED HEALTH SYSTEMS D.B.A. MARICOPA HEALTH PLAN FOR HEALTH CARE FOR THE HOMELESS CLINIC**

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) with Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health Systems d.b.a. Maricopa Health Plan (MHP) and Maricopa County through its Department of Public Health's Health Care for the Homeless Clinic (HCH). This IGA is effective October 1, 2008 and amends Exhibit 5: AHCCCS Subcontract Provisions. All other terms and conditions of the original Contract shall remain in full force and effect.

This agreement is non-financial and will not affect the County general fund. (C-86-06-052-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**28. AGREEMENT WITH BANNER HEALTH DBA BANNER GOOD SAMARITAN MEDICAL CENTER FOR RESIDENT LEARNING EXPERIENCES**

Approve the non-financial affiliation agreement entitled, "Master Affiliation/Resident Rotation Agreement" with Banner Health, an Arizona nonprofit corporation dba Banner Good Samaritan Medical Center (BGSMC) to allow residents to participate in learning experiences at the Maricopa County through its Department of Public Health. The term is from January 1, 2009 and expires June 30, 2013. (C-86-09-041-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR TEEN PREGNANCY PREVENTION PROGRAM**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) (No. HG861252) between the Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health for the Teen Pregnancy Prevention Program to help reduce pregnancies among teenagers by implementing programs to educate and train parents/caregivers of teenagers. Amendment No. 1 extends the term of the IGA from January 1, 2009 through December 31, 2009. This amendment also replaces Price Sheet of original contract with a revised Price Sheet which includes line item changes, maintaining

total funding amount at \$229,837 for the budget period January 1, 2009 through December 31, 2009. In addition, Amendment No. 1 makes administrative changes to the Special Terms and Conditions as detailed in the signed amendment. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant allows for full indirect cost reimbursement at \$35,060. All other terms and conditions shall remain in effect.

No appropriations adjustments are requested at this time as these funds were included in the FY 2008-09 adopted budget. These funds come from a grant from ADHS and do not effect the county's general funds. (C-86-08-037-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**30. TERMINATE AGENCY AGREEMENT WITH ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF ARIZONA STATE UNIVERSITY'S COLLEGE OF PUBLIC PROGRAMS AND COLLEGE OF HUMAN SERVICES**

Approve the letter of termination for the Agency Agreement between Arizona Board of Regents for and on behalf of Arizona State University's College of Public Programs and College of Human Services (ASU) and Maricopa County through its Department of Public Health (MCDPH). Pursuant to Page 2, paragraph entitled "Effective Period of this Agreement", "either party may terminate this Agreement without reason or cause on written notice to the other thirty (30) days in advance". The effective date for the termination will be thirty (30) days after the receipt of the "termination letter" by ASU.

Termination of this Agency Agreement is pursuant to the approval of another Agreement with Arizona Board of Regents for and on behalf of Arizona State University, which duplicates the services provided under this agreement. Affiliation Agreement with Arizona Board of Regents for and on behalf of Arizona State University (C-86-07-040-0-00) was approved by the Board of Supervisor's on February 7, 2007. (C-86-05-902-0-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. AMENDMENT TO IGA WITH ROOSEVELT SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with Roosevelt School District to extend the term of the IGA from May 2, 2008 through May 1, 2009, and increase the contract by \$24,000 to provide school-based tobacco use prevention and education services for the Maricopa County through its Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$87,000 for the term July 1, 2006 through May 1, 2009. (C-86-07-411-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**32. AFFILIATION AGREEMENT WITH CATHOLIC HEALTHCARE WEST DBA ST. JOSEPH'S HOSPITAL AND MEDICAL CENTER FOR RESIDENT PARTICIPATION**

Approve the affiliation agreement entitled, "Adjunct Affiliation Agreement for Medical Education" with Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center to allow residents to participate in learning experiences at Maricopa County through its Department of Public Health. The agreement is non-financial. The term of this agreement will be on the date on which the Agreement has been executed by both Parties (the

"Effective Date") and expires five years after the Effective Date, subject to the termination provisions of the Agreement. (C-86-09-042-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care & Control Services**

#### **33. AGREEMENT WITH RANACO CORP**

Approve the non-financial agreement between Ranaco Corporation, located in Tucson, AZ and Maricopa County in which Maricopa County Animal Care & Control (MCACC) will provide euthanized cats to Ranaco Corp. for educational distribution. Ranaco Corp. markets cat carcasses to colleges for classroom study. Ranaco Corp. will provide disposal bags, freezers, and maintain a scheduled pick up as outlined in the Agreement. The term of the Agreement is January 14, 2009 through June 30, 2010. (C-79-09-057-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **34. AGREEMENT WITH CAST OFF COCKERS FOR NEW HOPE PROGRAM**

Approve an Agreement between Diana Kraus, d.b.a. Cast Off Cockers, 1125 N. Nielson Street, Gilbert, AZ 85234, and Maricopa County to allow Cast Off Cockers under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 12 new hope rescues over the term of the agreement, for a total of \$480. The term of this Agreement is from January 14, 2009 through June 30, 2011. (C-79-09-058-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **35. AGREEMENT WITH DESERT DOGS RESCUE FOR THE NEW HOPE PROGRAM**

Approve an Agreement between Desert Dogs Rescue, Inc., a 501 (c) 3 non-profit corporation, 1021 N. 381st Avenue, Tonopah, AZ 85354, and Maricopa County to allow Desert Dogs Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 125 new hope rescues over the term of the agreement, for a total of \$5,000. The term of this Agreement is from February 6, 2009 through June 30, 2012. (C-79-09-063-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**36. DONATIONS**

- a. Accept the restricted monetary donation from **Friends of Animal Care & Control (FACC's)** of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$121,302.83 and the Foster Program in the amount of \$3,717.83 including two positions. The total donation received was in the amount of \$125,020.66 which includes the supports of two positions in these programs. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-056-D-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Accept the monetary donations from **Nestle Purina PetCare Company** of St. Louis, MO for their Kroger Four Plus Two Program in the amount of \$6,250; **Robert Forrest** of Tempe, AZ in the amount of \$500; and, **Kevin Kreitman** of Scottsdale, AZ in the amount of \$1,000 for the care of the animals. A total donation received is \$7,750. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-059-D-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. Accept the monetary donations from the **City of Mesa**, of Mesa, AZ for their Employees Community Spirit Program in the amount of \$500; and **Elizabeth Raub** of Phoenix, AZ in the amount of \$400 for the care of the animals. Total donations received is \$900. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-060-D-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- d. Accept the monetary donation from **Drusilla Wylie** of Mesa, AZ in the amount of \$1,500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-061-D-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



- e. Accept the monetary donations from **Suzy Hayton** of Phoenix, AZ in the amount of \$312; and, **Stephanie Wilcox** of Mesa, AZ in the amount of \$300 for the care of the animals. Total donation received is \$612. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-062-D-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### 37. KENNEL PERMITS

- a. Approve kennel permit #400 pursuant to A.R.S. §11-1009 for **Marci Sale, d.b.a. Larkspur Labradors**, located at 1141 E. Sage Brush Street, Gilbert, AZ 85296 in District 2 for the term of January 14, 2009 through January 13, 2010. The cost of a kennel permit is \$328. (C-79-09-054-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. Approve kennel permit #439 pursuant to A.R.S. §11-1009 for **Rowena Johnson, d.b.a. R. Johnson Kennels**, located at 7956 W. Roma Avenue, Phoenix AZ 85033, in District 5 for the term of January 14, 2009 through January 13, 2010. The cost of a kennel permit is \$328. (C-79-09-055-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### Human Services

### 38. AMENDMENT TO CONTRACT WITH ARIZONA DEPARTMENT OF HOUSING

Approve Amendment No. 2 to Contract C-22-09-021-3-01 between Maricopa County administered by its Human Services Department and the State of Arizona Department of Housing /State Housing Fund to provide funding for low income families. The contract amount is being increased by \$158,792 with the total amount being revised from \$239,792 to \$398,584. This amendment will terminate June 30, 2010. The FY2008-09 budget will not be changed; this grant will be included in FY2009-10 requested budget an amount of \$158,792. Funding for this agreement is provided by a grant from State Housing Fund/State of Arizona Department of Housing and will not impact the County general fund budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by a grant from State Housing Fund/State of Arizona Department of Housing and will not impact the County general fund budget." (C-22-09-021-3-02)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**39. AMENDMENT TO IGA WITH CITY OF AVONDALE FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between the City of Avondale and Maricopa County through the Human Services Department (HSD) Special Transportation Services to increase the funding for FY 2008-09 by \$20,000 for a new aggregate not-to-exceed amount of \$40,000. This amendment is effective from date of Board of Supervisors approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs are estimated to be \$5,304 for the entire contract, all of which are recoverable. Appropriations adjustment is not requested at this time as these funds are included in the 2008-2009 adopted budget. C-22-09-104-M-00 (C-22-09-104-M-01)

Blue Crowley registered to speak on items 39-42, referencing the rising bus rates on Dial-A-Ride. He believes that, "these are monies that are just covering the rail." He said he has still not received an answer to his request for the cost of one round-trip for the new light rail system.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**40. AMENDMENT TO IGA WITH CITY OF GLENDALE FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between the City of Glendale and Maricopa County through the Human Services Department (HSD) Special Transportation Services to increase the funding for FY 2008-09 by \$60,000 for a new aggregate not-to-exceed amount of \$95,000. This amendment is effective from date of Board of Supervisors approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs are estimated to be \$12,534 for the entire contract, all of which are recoverable. Appropriations adjustment is not requested at this time as these funds are included in the 2008-2009 adopted budget. C-22-09-108-M-00 (C-22-09-108-M-01)

The Clerk announced that the words "and addendum" should be added to item #40, indicating the Board will approve the amendment to the IGA and addendum.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**41. AMENDMENT TO IGA WITH THE TOWN OF YOUNGTOWN FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement between Town of Youngtown and Maricopa County to increase the funding for FY 2008-2009 by \$17,000 for a new aggregate not-to-exceed amount of \$26,500. This amendment is effective from date of

Board approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the Town's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs are estimated to be \$3,496 for the entire contract, all of which are recoverable. Appropriations adjustment is not requested at this time as these funds are included in the 2008-2009 adopted budget. C-22-09-078-3-00 (C-22-09-078-3-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**42. AMENDMENT TO IGA WITH CITY OF CHANDLER FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) between the City of Chandler and Maricopa County through the Human Services Department (HSD) Special Transportation Services to increase the funding for FY 2008-09 by \$50,000 for a new aggregate not-to-exceed amount of \$175,000. This amendment is effective from date of Board of Supervisors approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs are estimated to be \$23,090 for the entire contract, all of which are recoverable. Appropriations adjustment is not requested at this time as these funds are included in the 2008-2009 adopted budget. C-22-09-107-M-00 (C-22-09-107-M-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**43. IGA WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT FOR ONE STOP CAREER CENTERS**

Approve an In-Kind Intergovernmental Agreement (IGA) between Maricopa County Community College District (MCCCD) and Maricopa County administered by its Human Services Department. MCCCD will provide \$256,197 in In-Kind in lieu of providing funds for costs associated with the operation of the One Stop Career Centers. MCCCD staff are co-located in the two MWC One Stop Career Centers. In-Kind support will include dedicated staff to conduct training workshops and materials and supplies. This item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System. MCHSD indirect rate for FY 2008-09 is 15.2%. This in-kind donation does not allow for indirect; therefore, \$33,803 is unrecoverable. In-kind is provided by Maricopa County Community College District and will not increase the County general fund budget. Also approve revenue and expenditure appropriation adjustments to the Human Services Department (220) Grant Fund (222) operating budget (function code 0000) associated with the aforementioned In-Kind contribution in an amount not-to-exceed of \$169,937. The appropriation adjustment is necessary because these funds were not included in the FY 2009 budget. In-kind donation revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to §42-17105. MWC One Stop Career Centers operations and activities are funded by Arizona State Department

of Economic Security (C-22-09-008-3-00) and partner agencies that are co-located in the One Stop Career Centers. This is a financial IGA and is effective July 1, 2008 to June 30, 2010.

Authorize Exhibits 1, 2 & 3 as follows: The approval of the IGA will also authorize the implementation of a Memorandum of Understanding (MOU) (Exhibit 1) among the Partner Organizations as designated by the local Workforce Investment Board. The MOU was developed to ensure all One Stop Career Center partners are aware of their roles in the service delivery of the Workforce Investment Act of 1998, Title I Section 1219(c)(2). The MOU has been executed by the HSD Director and commenced on July 1, 2008 and shall remain in effect through June 30, 2010. The approval of the IGA also authorizes the implementation of a Resource Sharing Agreement (RSA) Addendum A (Exhibit 2) among MCCCDC and the Maricopa Workforce Connections Board and provides the shared funding arrangements among the partners in the Maricopa Workforce Connections Investment Area One-Stop Delivery System in Maricopa County. The Resource Sharing Agreement shall be effective from July 1, 2008 through June 30, 2010. The RSA shall be updated no less than annually to reflect current shared costs and shall automatically be renewed annually beginning on July 1, 2010. Exhibit 3 to the IGA is the completed Maricopa County In-Kind Contribution Form which will be required to be completed and filed with MCHSD on a monthly basis. Of the total grant award, \$86,260 was already included in the FY2008-09 adopted budget. Funds for this IGA are provided by a grant from MCCCDC and do not increase the County's general fund. (C-22-09-121-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**44. RESCIND ACTION AND APPROVE AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

Rescind action taken on September 17, 2008 (C-22-09-008-03-02) to approve Amendment No. 2 to Intergovernmental Agreement (IGA) with Arizona Department of Economic Security (DES) E5706007. The action incorrectly referenced the amendment number and the Maricopa County (MC) File number for this amendment. This action should have correctly approved Amendment #8 under C-22-05-042-2. Further, the amendment documents presented by DES contained an error in Section 4 Compensation. DES has provided a revised Amendment No. 8 to DES contract E5706007 being submitted for approval along with this corrective action. Approve the DES revised Amendment No. 8 to DES contract E5706007 and assign MC Contract C-22-05-042-2-08 to this amendment. This amendment reduces Workforce Investment Act (WIA) program funding by \$1,894,546. The U.S. Department of Labor experienced a \$324 million dollar reduction in federal funds. Each State in the U.S. experienced a rescission of funds; the State of Arizona had a \$10 million dollar rescission. Maricopa County's portion of the rescission funds is \$1,894,546 for program year 2006. All terms and conditions of the contract shall remain in full force and effect. The original IGA term is April 1, 2005 to June 30, 2009 and approved under C-22-05-040-3-LI. The IGA was assigned contract C-22-05-042-2. This IGA does not contain any County General funds. Maricopa County, exclusive of the City of Phoenix, is a designated Workforce Investment Area under the federal Workforce Investment Act (WIA) of 1998. The goal of Maricopa County's Workforce Investment Board, Maricopa Workforce Connections, is to provide a comprehensive workforce development system under which Maricopa County residents can access appropriate services. (C-22-09-125-3-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**45. AMENDMENT TO IGA WITH TOWN OF FOUNTAIN HILLS FOR SPECIAL TRANSPORTATION SERVICES**

Approve Amendment No. 2 to the Intergovernmental Agreement (IGA) between Town of Fountain Hills and Maricopa County through the Human Services Department (HSD) to increase the funding for FY 2008-09 by \$60,000 (from \$90,000 to \$150,000) for Special Transportation Services. This amendment is effective from date of Board approval through June 30, 2009. All other terms and conditions of the Intergovernmental Agreement remain in full force and effect.

The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. Indirect costs are recoverable within this contract at a rate of 15.2%, which is the approved indirect cost rate for FY 2008-2009. The indirect costs are estimated to be \$19,791 for the entire contract, all of which is recoverable. Appropriations adjustment is not requested at this time as these funds are included in the FY2008-09 adopted budget. (C-22-08-154-3-03)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**CHIEF FINANCIAL OFFICER**

**Finance**

**46. FUNDS TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. TRANSFER OF EXPENDITURE AUTHORITY FOR CHANDLER INTERIM EMERGENCY SERVICES**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$13,910 from FY 2008-09 Non-Departmental (470) General Fund (100) Contingency (4711) Non-Recurring (0001) to a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) Non-recurring (0001) entitled "Chandler Interim Emergency Services." This action authorizes the transfer of contingency funds to pay the City of Chandler in accordance with the intergovernmental agreement between Maricopa County and the City of Chandler for the Provision of Interim Emergency Services within County Islands approved by the Board of Supervisors on August 22, 2007 (C-20-08-023-2-00) in the amount of \$13,910. (C-18-09-027-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Materials Management**

**48. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. 03151-C / SHOWER ACCESSORIES: SHOES**

RECOMMENDATION FOR INCREASE, 03151-C/Shower Accessories: Shoes (\$100,000.00 Increase until December 31, 2009). Increase price agreement value from \$200,000 to \$300,000. This \$100,000 increase has been requested by MCSO. This agreement was initially approved by the Board of Supervisors on December 3, 2003, in the amount of \$150,000 and subsequently renewed by the Materials Management Director on October 6, 2006, in the amount of \$200,000. (C-73-09-041-3-00)

**Leslee Scott, Inc.**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**b. 08108-C, TRAFFIC SIGNAL POLES AND COMPONENTS**

RECOMMENDATION FOR AWARD: 08108-C, Traffic Signal Poles And Components (\$1,500,000 estimate/three years with three one-year renewal options until January 31, 2012). Award price agreement for the purpose of procuring traffic signal poles and components for Maricopa County Public Works. (C-73-09-042-3-00)

**Ameron International Pole Products  
Cem-Tec Corporation  
Econolite  
hoenix Highway Products  
Traffic Parts, Inc.  
Traffic Signal, Inc.  
Valmont Industries**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**c. 07073-C, PHOTOGRAPHIC EQUIPMENT AND SUPPLIES**

RECOMMENDATION FOR INCREASE: 07073-C, Photographic Equipment And Supplies (\$336,000 Increase until September 30, 2010). Increase price agreement value from \$175,000 to \$511,000. This \$336,000 increase is requested by MCSO to cover anticipated expenses throughout the remainder of the contract term through September 30, 2010. This agreement was initially approved by the Materials Management Director on September 13, 2007. (C-73-09-044-3-00)

**Interstate All Battery Center  
Photomark**

**Tempe Camera Repair, Inc.  
W.B. Hunt Co., Inc.**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. 05171-S, GROUND TRANSPORTATION SERVICES**

RECOMMENDATION FOR RENEWAL: 05171-S, Ground Transportation Services (\$1,600,000 estimate/three years until January 31, 2012). Three year renewal of existing price agreement for employee and juror ground transportation services. (C-73-09-043-3-00)

**Southwest Charter Lines**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**e. 08104-S, YORK CHILLER MAINTENANCE, REPAIR AND OVERHAUL**

RECOMMENDATION FOR AWARD: 08104-S, York Chiller Maintenance, Repair And Overhaul (\$1,500,000 estimate/three years with three one year renewal option until January 31, 2012). Three year price agreement for York brand chiller maintenance throughout Maricopa County. (C-73-09-046-3-00)

**Johnson Controls, Inc.**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**f. 08105-S, CARRIER CHILLER MAINTENANCE, REPAIR AND OVERHAUL**

RECOMMENDATION FOR AWARD: 08105-S, Carrier Chiller Maintenance, Repair And Overhaul (\$600,000 estimate/three years with three one-year renewal options until January 31, 2012). Three year price agreement for Carrier brand chiller maintenance throughout the County. (C-73-09-047-3-00)

**Carrier Commercial Service**

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Parks and Recreation**

**49. AGREEMENT FOR THE PHOTOVOLTAIC SYSTEM AT CAVE CREEK MOUNTAIN REGIONAL PARK**

Authorize the Chairman of the Board to execute Incentive Reservation #3548, Purchase Supply Agreement and Receipt of Credit Purchase Payment Agreement (one document) for the Photovoltaic System at Cave Creek Mountain Regional Park and authorize the Parks & Recreation department to receive the one-time incentive for the program in an estimated amount of \$5,400.

Parks & Recreation department has installed photovoltaic generation facilities at the new Visitor Center facilities that are being built at Estrella Mountain Regional Park and Cave

Creek Regional Park. These facilities are eligible for application to APS to connect to the grid and thereby receive a utility credit, estimated at \$5,400 per facility. (C-30-09-018-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Planning and Development**

#### **50. CONSENT TO ASSIGNMENT ASSOCIATED WITH HASSAYAMPA RANCH DEVELOPMENT AGREEMENT**

Approve the Consent to Assignment with Hassayampa Ranch Ventures A, B, C, & D, LLC, each a Delaware limited liability company (Assignors), and Maricopa County through the Planning and Development Department, for the purpose of consenting to transferring rights and responsibilities associated with the Hassayampa Ranch Development Agreement Number C44 08 015 0 00 to Hassayampa Ranch (Phoenix) ASLI V, L.L.L.P., a Delaware limited liability limited partnership ("Assignee"). The Consent to Assignment is non-financial and is effective from January 14, 2009 and with the same termination terms as the Development Agreement.

On June 18, 2008 (C44 08 015 0 00), the Board of Supervisors approved the Hassayampa Development Agreement with the Hassayampa Ranch Ventures A, B, C, & D, LLC for the Hassayampa Ranch Development Master Plan (Assignors). The Assignors are conveying the subject property to the Assignee and is requesting that they be released from all rights and responsibilities associated with the Development Agreement, and that such rights and responsibilities be assigned to the Assignee, including those contained in Development Agreement. C 44-08-015-0-00. (C-44-08-015-0-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Facilities Management**

#### **51. CONTRACT WITH ENOVITY, INC. FOR COMMISSIONING SERVICES FOR DOWNTOWN COURT TOWER**

Award Consultant Services Contract No. FMD-08-046 to Enovity, Inc. as Commissioning Agent to provide commissioning services for the Downtown Court Tower (Project No. 3325-07-380) in an amount not-to-exceed the base bid of \$572,000 plus, if elected at a later time, \$196,000 for Add Alternate Scope items. This consultant was selected pursuant to Public Notice and selective process pursuant to Article 5 of the Maricopa County Procurement Code. The Downtown Court Tower is located in District 5. The contract Period of Service is 1,827 days after receipt of Notice-To-Proceed.

On May 2, 2007 (C-70-07-047-8-00), amended on May 16, 2007 (C-70-07-047-8-01), the Board of Supervisors approved \$341,557,800 for the design and construction of the Downtown Court Tower project, a courthouse in Phoenix, Arizona. Enovity, Inc., a commissioning consultant, was selected pursuant to Article 5 of the Maricopa County



Procurement Code with the intention to deliver the commissioning services for this project. This contract with Enovity, Inc. will allow the Court Tower Project Team to deliver this project in the most efficient, effective manner. This project has been recommended by the Facilities Review Committee. Three Add Alternates have been identified in the Contract for a total of \$196,000, as follows:1) Design Phase + Bidding: Court Security/Access Control Systems, Life Safety Systems, and Photovoltaics - \$37,870;2) Construction Phase: Court Security/Access Control Systems, Life Safety Systems, and Photovoltaics - \$120,800;3) Warranty Phase: Court Security/Access Control Systems, Life Safety Systems, and Photovoltaics - \$18,340. These Add Alternate items, not including incremental expenses in the amount of \$14,000, are not being exercised at this time. If they are determined at a later date to be necessary or advantageous, these items will be added to the Contract through the Change Order process approved by the Board of Supervisors. (C-70-09-019-5-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Public Works**

### **52. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-245-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **53. RESOLUTION FOR SHORT TERM USES OF COUNTY REAL ESTATE**

Approve Resolution Authorizing the Transportation Director to issue permits for short term uses of county property.

This action will authorize the Transportation Director, or his designee, to issue revocable permits for the short term use (for a period less than one calendar year) of county real property located outside transportation rights of way, in order to facilitate uses of such property located and to generate revenue from such uses. Such permits, would be issued conditioned on fees based on the fair market value of the land and the use permitted. Revenues from such permits would be deposited with Maricopa County HURF funds and used consistent with the limitations on HURF funds provided by law. Such permits would be approved by the Transportation Director for Maricopa County or his designee. (C-91-09-093-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **54. AMENDMENT TO IGA WITH CITY OF MESA FOR IMPROVEMENTS TO ELLSWORTH ROAD FROM GERMANN ROAD TO .5 MILES NORTH OF ELLIOT ROAD**

Approve Amendment No. 1 to the Intergovernmental Agreement between Maricopa County, acting through the Maricopa County Department of Transportation (County) and the City of Mesa (City) for improvements to Ellsworth Road from Germann Road to 0.5 miles north of Elliot Road, County Arterials (ARTS) Job Number T068.

The purpose of this amendment is to fulfill the intent of the original IGA entered into on March 15, 2000 and recorded in the office of the Maricopa County Recorder on March 17,

2000 (Recorder's No. #00-0203874, Agenda# C-64-00-169-2-00). Under the terms of the original agreement, full responsibility and liability for the operation, maintenance and future capital improvements of the project area would be conveyed to the City upon the completion of the annexation. Project construction has been completed and the City subsequently initiated and completed much of the annexation of the project area. The City is unable to annex the roadway right-of-way on Ellsworth Road between Warner Road and Elliot Road due to litigation constraints by the State Land Department. Pursuant to the terms of this amendment, the City agrees to assume full responsibility and liability for the operation, maintenance and future capital improvements of this section of Ellsworth Road until such time as the annexation can be completed. Future annexation of this segment of the project area will be completed by the City once the property is no longer restricted by the State Land Department. This amendment will become effective upon the approval by the County Board of Supervisors and all other conditions of the original agreement not in conflict with this amendment shall remain in full force and effect. Supervisory District No: 2 (C-64-00-169-2-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS**

### **Industrial Development Authority**

#### **55. AMENDED AND RESTATED IGA WITH THE INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)**

Approve the Amended and Restated Intergovernmental Agreement (IGA) between Maricopa County and the Industrial Development Authority (IDA) of Maricopa County to authorize Tom Manos, as a contract employee of Maricopa County, to serve as Executive Director of the Industrial Development Authority. The IGA shall be recorded with the Maricopa County Recorder and is effective on January 14, 2009 or when approved by both parties and shall continue until terminated by either party.

On January 13, 2009, the Board of Directors of the Industrial Development Authority approved the appointment of Tom Manos as Executive Director of the Industrial Development Authority. The Executive Director, under policies issued by the Authority Board, will direct, supervise and manage the business affairs of the Authority. The Executive Director may recruit and supervise additional staff to carry out the day-to-day activities of the Authority. The County is entitled to reimbursement for services provided to the Authority pursuant to this agreement. Either party can terminate this agreement with 30 days prior written notice. Tom Manos has served as the Executive Director of the Industrial Development Authority since January 7, 2002, in his capacity as the Chief Financial Officer for Maricopa County. Mr. Manos resigned from Maricopa County effective January 2, 2009, but would still like to continue his role as Executive Director of the IDA. (C-18-02-009-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Planning and Development**

#### **56. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the January 28, 2009 meeting. (C-44-09-073-M-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **CONSENT AGENDA**

### **Clerk of the Board**

#### **57. ASRS CLAIMS**

Pursuant to A.R.S. §38-711 et., authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims presented are on file in the Clerk of the Board's Office. (C-06-09-242-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **58. CANVASS OF ELECTIONS**

Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's Office. (C-06-09-241-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **59. COST PER FELONY CASE ANNUAL REPORT**

Pursuant to Arizona Revised Statutes §11-584(A)(3), receive the cost per felony case annual report as submitted by the Office of the Legal Advocate; Office of the Legal Defender; and Office of the Public Defender of Maricopa County. The report is on file in the Clerk of the Board's Office. (C-06-09-228-M-00)

Supervisor Wilcox asked for a report on where Maricopa County stands on cases - whether average, higher or lower - in the judicial system throughout the country. Supervisor Stapley asked that all Members be given a copy of the report.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. DUPLICATE WARRANTS**

Pursuant to A.R.S. §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-238-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS**

Pursuant to A.R.S. §42-11153B, approve the redemption of waivers for individuals and organizations requesting exemptions for the 2008 tax year during the period of July 19, 2008 through December 15, 2008. Report is on file in the Clerk of the Board's Office. (C-06-09-243-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**62. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-240-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**63. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated January 14, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-246-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**64. STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-09-237-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**65. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-239-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS ADDENDUM**

### **Treasurer**

#### **A-1. BOND FOR COUNTY TREASURER**

Pursuant to A.R.S. §42-18001, approve a penal bond, executed to the state, in the amount of \$100,000 for the County Treasurer as tax collector.

The exclusions for employees required to be bonded and the exclusion for Treasurer or Tax Collector have been deleted under the County crime policy. There is \$10,000,000 coverage for the Treasurer. However the crime policy is not a bond. It is an insurance policy and has much broader coverage than a bond. A bond in the amount of \$100,000 is recommended because: 1. That would pay the deductible under the crime policy. 2. Most statutory Treasurer bonds are \$100,000. (C-06-09-233-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Finance**

#### **A-2. CLOSING COSTS FOR TRANSFER OF MARICOPA COUNTY EVENTS CENTER (FORMERLY KNOWN AS THE SUNDOME CENTER FOR THE PERFORMING ARTS) TO THE ARIZONA BOARD OF REGENTS**

Authorize the payment of reasonable closing costs, not-to-exceed \$3,000, associated with the transfer and conveyance of the Maricopa County Events Center and parking lot (formerly known as the Sundome Center for the Performing Arts) to the Arizona Board of Regents for and on behalf of Arizona State University.

The conveyance of the Event Center was previously authorized by the Board on December 17, 2008 (C-18-09-035-8-00) and this amendment completes the transaction by authorizing the stated closing costs. (C-18-09-035-8-01)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **Human Services**

#### **A-3. IGA WITH DEPARTMENT OF ECONOMIC SECURITY REHABILITATION SERVICES ADMINISTRATION FOR SPECIAL TRANSPORTATION SERVICES**

Approve an Intergovernmental Agreement (IGA) DE081238-001 between the Department of Economic Security, Rehabilitation Services Administration (ADES/RSA) and Maricopa County administered by its Human Services Department (HSD). The purpose of this agreement is to provide employment related transportation services for RSA clients within Maricopa County, for an amount not-to-exceed \$250,000. The term of this agreement is July 1, 2008 – June 30, 2009 and includes four, one-year renewable options. This agreement is matched by the JARC IGA AZ-37-X008 pending the approval by the Board of Supervisors

and by the New Freedom IGA AZ-57-X001-01 pending the approval by the Board of Supervisors both with City of Phoenix. Reimbursement to HSD will be made on a per trip rate as detailed in the Agreement. HSD's FY2008-09 indirect rate is 15.2%. Indirect expenses are fully recoverable and are estimated at \$32,986. An appropriation adjustment is not requested at this time these funds are included in the FY 2008-09 Adopted Budget. (C-22-09-114-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING RECESSED**

Chairman Wilson recessed the Board of Supervisors to reconvene as the Board of Directors of various districts.

## **FLOOD CONTROL DISTRICT AGENDA**

The Board of Directors of the Flood Control District convened in Formal Session at 9:00 AM on Wednesday, January 14, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-244-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-2. PERSONNEL AGENDA AND LUMP SUM MERIT AWARDS FOR THE FLOOD CONTROL DISTRICT**

Approve the Personnel Agenda for the Flood Control District for the first two quarters of FY 2008-09 and CY 2008 and the 2008 One-Time Lump Sum Merit Awards consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The Personnel Agenda and Lump Sum Merit Awards are on file in the Office of the Clerk of the Board. (C-49-09-043-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **F-3. RESOLUTION 2008R016 ARIZONA CANAL DIVERSION CHANNEL (ACDC) STORM DRAIN IMPROVEMENTS**

Adopt Resolution FCD 2008R016 for the design and construction of the Arizona Canal Diversion Channel (ACDC) Storm Drain Improvements (Project).

This Project is within the Supervisory Districts 3 and 4 in the central part of the valley within the City of Phoenix. The United States Army Corps of Engineers (USACE) constructed the ACDC in the early 1980s in cooperation with the Flood Control District of Maricopa County (District). The District currently owns, operates and maintains the channel. Storm drain inlet pipe cracks are developing about 4' from the wall of the ACDC. The cracks in the pipes allow storm water flows to enter into the wall backfill causing the backfill to be saturated and further consolidate. Continuation of seepage behind the ACDC wall can cause further damage to the existing wall that is 20' in height. The District is requesting authorization to design and construct the improvements to existing cracked inlet pipes that will preserve the ACDC integrity and functionality, and budget necessary funding. This Agenda Item impacts Supervisory Districts 3 and 4. (C-69-09-037-6-00)

Blue Crowley spoke on items F-3, F-4, F-5: addressing concerns on the light rail system's end point near Metro Center when it should be at Metro Center.

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. JOB ORDER CONTRACT WITH J BANICKI CONSTRUCTION FOR ACDC STORM DRAIN IMPROVEMENTS**

Award Job Order Contract (JOC) FCD 2008C035 to J Banicki Construction for Arizona Canal Diversion Channel (ACDC) Storm Drain Pipe Repair and Other Projects. The contract performance is 730 calendar days effective the date of award by the Board of Directors and may be renewed, if mutually agreed to by both the Contractor and the Flood Control District of Maricopa County (District), for an additional three one-year periods. The total contract amount will not exceed \$2,000,000 over the five years with an annual contract amount not-to-exceed \$1,000,000. The District has identified initial defined assignments for contracts totaling an estimated \$750,000 and has budgeted corresponding funding.

The District issued a Public Notice on October 09, 2008, seeking experienced Contractors to perform storm drain pipe repair and related construction utilizing Job Order Contracting (JOC) project delivery methods. The awarded Contractor shall perform storm drain pipe repair and associated work through contracted work assignments. Services may include, but are not limited to, replacing existing broken concrete pipes (size ranging from 18" to 60" diameter) via jacking, tunneling (hand or machine), open cut, or other suitable methods on an as- needed basis. Each work assignment that is mutually agreed upon and issued by the District will define specific project requirements. Work assignments will be at various locations throughout Maricopa County. This is a qualifications-based selection in accordance with the Maricopa County Procurement Code, Article 5, Paragraph 504, Section G and Article 5 Procurement Procedures Manual, Chapter V. This item impacts Supervisory Districts 3 and 4. (C-69-09-042-5-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. JOB ORDER CONTRACT WITH HUNTER CONTRACTING FOR ACDC STORM DRAIN IMPROVEMENTS**

Award Job Order Contract (JOC) FCD 2008C026 to Hunter Contracting for Arizona Canal Diversion Channel (ACDC) Storm Drain Pipe Repair and Other Projects. The contract performance is 730 calendar days effective the date of award by the Board of Directors and may be renewed, if mutually agreed to by the Contractor and the Flood Control District of Maricopa County (District), for an additional three one-year periods. The total contract amount will not exceed \$2,000,000 over the five years with an annual contract amount not-to-exceed \$1,000,000. The District has identified initial defined assignments for this contract totaling an estimated \$750,000 and has budgeted corresponding funding.

The District issued a Public Notice on October 09, 2008 seeking experienced Contractors to perform storm drain pipe repair and related construction utilizing Job Order Contracting (JOC) project delivery methods. The awarded Contractor shall perform storm drain pipe repair and associated work through contracted work assignments. Services may include, but are not limited to, replacing existing broken concrete pipes (size ranging from 18" to 60" diameter) via jacking, tunneling (hand or machine), open cut, or other suitable methods on an as- needed basis. Each work assignment that is mutually agreed upon and issued by the District will define specific project requirements. Work assignments will be at various locations throughout Maricopa County. This is a qualifications-based selection in accordance with the Maricopa County Procurement Code, Article 5, Paragraph 504,



Section G and Article 5 Procurement Procedures Manual, Chapter V. This item impacts Supervisorial Districts 3 and 4. (C-69-09-044-5-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-6. AWARD JOB ORDER CONTRACT TO ENVIRONMENTAL RESPONSE, INC., FOR REMEDIATION SERVICES**

Award Job Order Contract (JOC) FCD 2008C021 to Environmental Response, Inc., (ERI) . The contract performance is 730 calendar days effective the date of award by the Board of Directors and may be renewed, if mutually agreed to by both the Contractor and the Flood Control District of Maricopa County (District), for an additional three one-year periods. The total contract amount will not exceed \$2,000,000, each over the two years with an annual contract amount not-to-exceed \$1,000,000 per contract. The District has identified initial defined assignments for this contract totaling an estimated \$600,000, and has budgeted corresponding funding.

The District issued a Public Notice on September 18, 2008 seeking experienced contractors to perform remediation work for various projects utilizing Job Order Contracting (JOC) project delivery methods. The awarded Contractor shall perform remediation related services through contracted work assignments. Services may include, but are not limited to, excavation of soil/waste for treatment, segregation and /or waste disposal activities to provide remediation services on an as- needed basis. Each work assignment that is mutually agreed upon and issued by the District will define specific project requirements. Work assignments will be at various locations throughout Maricopa County. This is a qualifications-based selection in accordance with the Maricopa County Procurement Code, Article 5, Paragraph 504, Section G and Article 5 Procurement Procedures Manual, Chapter V. Supervisorial Districts 1, 2, 3, 4, and 5. (C-69-09-032-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-7. AWARD JOB ORDER CONTRACT TO MT2, LLC FOR REMEDIATION SERVICES**

Award Job Order Contracts (JOC) FCD 2008C029 to MT2, LLC for Remediation Services. The contract performance is 730 calendar days effective the date of award by the Board of Directors and may be renewed, if mutually agreed to by both the Contractor and the Flood Control District of Maricopa County (District), for an additional three one-year periods. The total contract amount will not exceed \$2,000,000, each over the two years with an annual contract amount not-to-exceed \$1,000,000 per contract. The District has identified initial defined assignments for this contract totaling an estimated \$600,000, and has budgeted corresponding funding.

The District issued a Public Notice on September 18, 2008 seeking experienced contractors to perform remediation work for various projects utilizing Job Order Contracting (JOC) project delivery methods. The awarded Contractor shall perform remediation related services through contracted work assignments. Services may include, but are not limited to, excavation of soil/waste for treatment, segregation and /or waste disposal activities to provide remediation services on an as- needed basis. Each work assignment that is mutually agreed upon and issued by the District will define specific project requirements. Work assignments will be at various locations throughout Maricopa County. This is a qualifications-based selection in accordance with the Maricopa County Procurement Code, Article 5, Paragraph 504, Section G and Article 5 Procurement Procedures Manual, Chapter V. This item impacts Supervisorial Districts 1, 2, 3, 4, and 5. (C-69-09-040-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-8. IGA WITH CITY OF MESA FOR SIPHON DRAW DRAINAGE IMPROVEMENT PROJECT - PHASE I**

Approve Intergovernmental Agreement (IGA) FCD 2008A005, Siphon Draw Drainage Improvements Project – Phase 1 (Project [#442]), between the Flood Control District of Maricopa County (District) and the City of Mesa (City). This IGA is for cost sharing of the Project construction, construction management, and for operation and maintenance. The estimated total Project cost is \$7,000,000 and will be shared equally by the City and the District with the District's share estimated to be \$3,500,000. The IGA shall become effective when executed by both parties and shall expire five years from date of Recording by the County Recorder.

The East Mesa Area Drainage Master Plan Update (ADMP) identified flooding problems in the southeast Mesa area and recommended solutions to these problems. The Phase I portion of this Project will provide 100-year protection to an area of the City west of Meridian Road and near Elliot Road, a detention basin east of Meridian Road and north of Elliot Road, inlet and outlet structures, fissure mitigation, reconstruction of existing culverts and other associated features as needed; construction of operation and maintenance roads and ramps, and native vegetation planting. The Board of Directors of the District (Board) adopted Resolution FCD 2003R003 on November 5, 2003 (C-69-04-041-6-00) to negotiate IGA's for the cost sharing, design, rights-of-way acquisition, construction, construction management, and operation and maintenance for the Siphon Draw Drainage Improvements Project. The Board approved IGA FCD 2006A005 on June 29, 2007 (C-69-07-064-2-00) between the District and City for the design, rights-of-way acquisition, and utility relocations for the Project. The Project costs will be shared equally between the District and the City. The District and the City will share the operation and maintenance responsibilities for the completed Project. This project is located in Supervisory District 1 (C-69-09-034-3-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-9. BID AND AWARD FOR SIPHON DRAW DRAINAGE IMPROVEMENTS PROJECT PHASE I**

Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids of Contract FCD 2008C030, Siphon Draw Drainage Improvements, Phase 1 Project (PCN #442). Award of the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate.

The Siphon Draw Drainage Improvement Resolution FCD 2003R003 was adopted by the Board of Directors of the District (Board) on November 5, 2003 (C-69-04-041-6-00). The Board approved Intergovernmental Agreement (IGA) FCD 2008A005 on January 14, 2009, which defines project responsibilities for the Project Partners. The District will fund 50% and the City of Mesa (City) will fund 50% of the Project costs. The District will own, operate and maintain the completed project within Plain County and the City will be responsible for maintenance of the Project out fall, which is within the City. The Siphon Draw Drainage Improvements, Phase 1 Project will provide 100-year protection to an area of the City west of Meridian Road and near Elliot Road. This Project will include one detention basin north of Elliot Road and east of Meridian Road, 300 feet of reinforced concrete lined channel, 500 feet of rip rapped channel, and associated structures. The District will administer the

construction contract and provide the construction management. This project is located in Supervisory District 1 (C-69-09-035-5-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-10. EMPLOYEE WAGE CLAIM SETTLEMENT**

Approve a settlement between the Flood Control District of Maricopa County (District) and attorney Daniel L. Bonnett. Mr. Bonnet represented a County employee. The purpose of this action is to settle all claims between the Parties arising out of the employee wage claim that has been settled. There will be nothing for the Board to sign regarding this settlement.

The District, along with the Civil Division, has resolved an employee wage claim that started in 2004 and was successful in negotiating the Plaintiff's attorney's fees from \$3500 to \$500. This item impacts all Supervisorial Districts. (C-69-09-033-S-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-11. AWARD CONTRACT TO STANLEY CONSULTANTS, INC. FOR SONOQUI WASH CHANNELIZATION PHASE II - CHANDLER HEIGHTS ROAD TO CRISMON ROAD**

Award Contract FCD 2008C025, Sonoqui Wash Channelization from Chandler Heights Road to Crismon Road (Project [#480 – Queen Creek ADMP] ) to Stanley Consultants, Inc. The contract is for a lump sum of \$1,221,508.18, plus a not-to-exceed amount of \$90,678.56 for optional items. The optional items, which include additional roadway design, including plan and profile, signing and striping, landscape design, structural design and will only be implemented if required. The total contract amount, including the optional items, will not exceed \$1,312,186.74. The contract performance is 365 calendar days effective the date of the Notice to Proceed.

This Project is for 100-year channelization improvements to the existing Sonoqui Wash from approximately Chandler Heights Road upstream to the Crismon Road. The channel improvements will significantly reduce the existing floodplain hazard along this reach of the wash. The Flood Control District of Maricopa County (District) is the lead agency for the design of the Project. The Town of Queen Creek will share in the cost of the design in accordance with Intergovernmental Agreement FCD 2008A008 approved by the District Board of Directors on August 30, 2008 (C-69-09-008-3-00). This is a qualification-based selection in accordance with Maricopa County Procurement Code, Article 5, Paragraph 504. The Project is located in District 1. (C-69-09-038-5-00)

Motion to approve by: Director Stapley, Seconded by: Director Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Max W. Wilson, Chairman of the Board

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT AGENDA**

The Board of Directors of the Library District convened in Formal Session at 9:00 AM on Wednesday, January 14, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **L-1. PERSONNEL AGENDA FOR THE LIBRARY DISTRICT**

Approve the Personnel Agenda for the Library District for the first two quarters of FY 2008-09 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The Personnel Agenda is on file in the Office of the Clerk of the Board. (C-49-09-044-6-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-2. DONATIONS**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for December 2008. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-236-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **L-3. APPLY AND ACCEPT TARGET GRANT FUNDS FOR SPONSOR 2009 SUMMER READING PROGRAM**

Approve the application and acceptance of grant funds from Target, (165874DO), in the not-to-exceed amount of \$75,000 for the purpose of Sponsor 2009 Summer Reading Program. The grant award begins on July 1, 2008 and ends on June 30, 2009. Authorize the Chairman to sign all documents related to these grant funds, as applicable. The grant allows a 0% rate for indirect costs, or \$0 which may be incurred by the Library District or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Library District's composite indirect cost rate at 6.1%%, or \$4,575. The recoverable indirect cost of administering this grant is \$0; the non-recoverable indirect cost is \$4,575. Upon receipt of funds and pursuant to A.R.S. §42-17106(B), approve a revenue and expenditure appropriation adjustment to the Library District (650) Library District Grants (242) Non-Recurring (0001) budget in the amount of \$75,000 for FY 2009. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The Library District's Summer Reading Program continues to increase every year. In 2008, 45,700 children and teens participated (an increase of 52.8% over the previous year). That is more children than the populations of 16 towns/cities in Maricopa County. Target has chosen the District's 2009 Summer Reading Program to be the recipient of a \$75,000 sponsorship. (C-65-09-006-G-00)

Director Wilcox thanked TARGET for their continuing sponsorship of a summer reading program.

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **LIBRARY DISTRICT ADDENDUM**

### **LA-1. DONATIONS FROM THE LITCHFIELD PARK ROTARY CLUB AND THE FRIENDS OF THE SURPRISE LIBRARIES**

Approve and accept the following donations: \$500 cash from the Litchfield Park Rotary Club to the Litchfield Park Branch Library and \$8,804 from the Friends of the Surprise Libraries, Inc. to the Northwest Regional Library and the Hollyhock Branch Library in Surprise. Total cash gifts are \$9,304. Approve a revenue and expenditure appropriation in the amount of \$9,304 increasing the Library District (650) Library District fund (244) Non-recurring (0001) budget. (C-65-09-007-D-00)

Director Brock thanked Litchfield Park for their donation.

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board

## **STADIUM DISTRICT AGENDA**

The Board of Directors of the Stadium District convened in Formal Session at 9:00 AM on Wednesday, January 14, 2009, in the Supervisors Auditorium with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; Sandi Wilson, Acting County Manager; and Victoria Mangiapane, Deputy County Attorney.

### **S-1. PERSONNEL AGENDA FOR STADIUM DISTRICT**

Approve the Personnel Agenda for the Stadium District for the first two quarters of FY 2008-09 consistent with the agenda item C-49-07-038-6-00 approved on April 18, 2007. The Personnel Agenda is on file in the Office of the Clerk of the Board. (C-49-09-045-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **S-2. COMPREHENSIVE ANNUAL FINANCIAL REPORT**

Accept the Comprehensive Annual Financial Report of the Maricopa County Stadium District which includes an Independent Auditors' Report for the year ended June 30, 2008, filed by Heinfeld, Meech & Co., PC, and pursuant to A.R.S. §48-4231(D), file a certified copy with the State Auditor General. (C-06-09-227-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Kunasek  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Official Record Keeper

**MEETING RECONVENED**

Chairman Wilson reconvened the Board of Supervisors.

**CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

66. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

Kate Goodhart said she owed some Members an apology in having come before the Board to speak several times in the past and had been rude and argumentative. She said she just wanted the Board to understand several new points in her code enforcement violation case. She said, "the code enforcer made it clear he wouldn't permit compliance. In fact, he actively worked to prevent it." She said she made requests for a different code enforcer and to meet with a department supervisor, all were denied. She also claimed intimidation methods were used with her. She alleged that no one has ever asked to see her proof in the case and asked to be able to start new in 2009.

Blue Crowley showed the Board a map containing both bicycle and bus routes and improvements promised. He said 24-hour service 7 days a week on all major arterials and MAG and the RPTA running it. He believe Maricopa County should be running it because the County is the only one that understands that everyone is paying that 1/4 cent sales tax and they are talking about raising rates by \$1 despite that.

Betty Adams, Director of Correctional Health Services (CHS), explained that CHS is a separate organization from the Sheriff's Office and is not negatively affected by anything that happens in the Sheriff's Office. She also addressed information given earlier in the meeting by Blue Crowley, saying that accreditation is not a requirement for Correctional Health Services. Statute requires an annual external review by a body with medical standards. She said that no information has been provided to show there are any deficiencies in the health care provided by CHS.

67. Supervisors'/County Manager's summary of current events.

No Supervisors commented at this time.

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\*

**PLANNING AND ZONING AGENDA**

Sandi Wilson left the dais and Victoria Mangiapane left the meeting at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Assistant County Manager, Darren Gerard, Deputy Planning and Development Director, and Wayne J. Peck, Deputy County Attorney, came forward to present the following planning and zoning cases.



## **CONSENT AGENDA**

### **1. MAJOR AMENDMENT - TRAVEL CENTERS OF AMERICA**

Case Number: Z2007005  
Supervisory District: 4  
Applicant: Quality Project Management, Inc. for TA Operating Corp.  
Location: Southeast corner of Interstate 10 and 339th Avenue (in the Tonopah area)  
Request: Major Amendment to a Precise Plan of Development for a truck stop and travel center in the IND-2 IUPD and C-2 PD zoning districts (approx. 43 ac.)  
Commission Action: Approve by a unanimous vote of 7-0 subject to staff recommended stipulations "a" through "n" (C-44-09-067-7-00)

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **2. SPECIAL USE PERMIT - HACIENDA DE SARAH-DAY 2**

Case Number: Z2005055  
Supervisory District: 4  
Applicant: One Step Beyond, Inc. for Charles and Marisela Erichsen  
Location: South of Rockaway Hills Drive, east of the intersection of Rockaway Hills Drive and Castle Hot Springs Road in the Morristown area.  
Request: Special Use Permit for a Residential Facility to house a training program for young adults with disabilities, in the Rural-43 WHSC zoning district.  
Commission Action: Approve by a vote of 7-0 subject to staff recommended stipulations 'a' - 't'. (C-44-09-068-7-00)

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **3. MODIFICATION OF STIPULATION - PHO WADDELL VERIZON WIRELESS COMMUNICATION FACILITY**

Case Number: Z2008111  
Supervisory District: 4  
Applicant: Reliant Land Services on behalf of Verizon Wireless for John C. & Helen G. Truman  
Location: Northeast corner of 175th Avenue and Sweetwater Road in the Surprise area  
Request: Modification of Stipulation of approval of a Special Use Permit for a Wireless Communication Facility in the Rural-43 zoning district and Wireless Communication Facility Use District.  
Commission Action: Approve by a vote of 7-0 subject to staff recommended stipulations 'a' - 'l' (C-44-09-069-7-00).

Motion to concur with Planning and Zoning Commission recommendation for approval by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**4. FINAL PLAT - ANTHEM UNIT 101 REPLAT**

Case Number: S2008014  
Supervisory District: 3  
Applicant: Mark Sandwick, Stanley Consultants, Inc.  
Location: Northwest corner of Gavilan Peak Parkway and Venture Drive in the Anthem area  
Request: Replat in the R-3 RUPD zoning district to convert two tracts to public road right-of-way  
Commission Action: N/A (C-44-09-070-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**REGULAR AGENDA**

**5. DEVELOPMENT MASTER PLAN - HIDDEN WATERS RANCH**

DMP2008006  
Case Number:  
Supervisory District: District 4  
Applicant: Mark Reddie, LVA Urban Design Studio for 339th Avenue & I-10, LLC & Arizona State Land Department  
Location: South side of I-10 and between 335th Avenue (alignment) and 351st Avenue alignment in the Tonopah area  
Request: Major Amendment to the Development Master Plan for Hidden Waters Ranch  
Commission Action: Approve by a vote of 7-0 subject to modified stipulations 'a' - 'z' (C-44-09-071-7-00)

Darren Gerard gave background details on this major amendment to the DMP for Hidden Waters Ranch. The recommendation is for approval with stipulations "a" through "z" with additional language to stipulation "f" concerning the State Land Department. Mr. Gerard read this into the record:

f. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record. PUBLIC LANDS INCLUDED IN THIS DMP THAT ARE ADMINISTERED BY THE ARIZONA STATE LAND DEPARTMENT (ASLD) ARE NOT SUBJECT TO THIS REQUIREMENT. HOWEVER, NO ZONE CHANGE OR OTHER ENTITLEMENT SHALL OCCUR ON PUBLIC LANDS INCLUDED IN THIS DMP THAT ARE ADMINISTERED BY THE ASLD UNLESS A SEPARATE DEVELOPMENT AGREEMENT BETWEEN MARICOPA COUNTY AND THE ASLD HAS BEEN SIGNED AND APPROVED BY BOTH PARTIES. SHOULD PUBLIC LANDS IN THIS DMP THAT ARE ADMINISTERED BY THE ASLD BE TRANSFERRED TO A PRIVATE PARTY(IES), NO ZONE CHANGE OR OTHER ENTITLEMENT ON SUCH LANDS WILL BE ALLOWED UNTIL A SEPARATE DEVELOPMENT AGREEMENT BETWEEN MARICOPA COUNTY AND THE PRIVATE PARTY(IES) IS SIGNED BY BOTH THE MASTER DEVELOPER AND THE DESIGNATED MARICOPA COUNTY REPRESENTATIVE(S) AND PROVIDED TO THE MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT FOR PUBLIC RECORD.

Motion to concur with Planning and Zoning Commission recommendation for approval  
by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

Clerk of the Board Fran McCarroll announced that the Special Board Meeting publicly announced for 10:45 a.m. at this location would be moved to the Tom Sullivan Conference Room, 301 West Jefferson, Phoenix AZ, and would convene at 10:45 a.m.

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board